

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of:	)	
	)	
Petition of Somos, Inc. for a Declaratory	)	WC Docket 95-155
Ruling Regarding Registration of	)	
Text enabled Toll Free Numbers	)	WT Docket No. 08-7
	)	

**Reply Comments of Signal One, LLC**

**I. INTRODUCTION**

Signal One, LLC ("Signal One"), through its undersigned counsel, offers these reply comments in the above-captioned proceeding. In particular, Signal One supports the Somos Petition for Declaratory Ruling ("Petition"), and responds to inaccuracies in the initial comments filed by other parties. In particular, Signal One supports the position that Somos, as toll-free administrator, with the cooperation and participation of the RespOrgs, has the responsibility to ensure that toll-free subscribers have control over SMS texts to their numbers, including if those texts should be accepted at all. Without such control both toll-free subscribers and the consumers attempting to contact them will have no certainty as to whether text communications are being received, creating a potential for widespread abuse.

While Signal One supports the ability of consumers to reach toll-free subscribers via text messaging, Signal One believes that the current system lacks the necessary controls to make this service viable long term and can harm users, subscribers and the toll-free system itself. Without the necessary controls of the administrator and RespOrg involvement in authorizing SMS to toll-free numbers, Signal One has already seen numerous incidents of unauthorized text enabling of subscriber numbers, spoofing, and other related issues. For these reasons, Signal One supports

the Petition, and urges the Commission to require Somos (and, thus, the RespOrgs) to be involved in the authorization of toll-free numbers to become text enabled.

## **II. DISCUSSION**

Signal One is an independent RespOrg that serves a variety of toll-free subscribers. Increasingly, subscribers have noted a rise in the number of toll-free numbers that are listed as text enabled unbeknownst to either Signal One or the subscriber. While it is possible that some numbers have been text enabled by a prior subscriber and not reset when the number is reserved from the toll-free spare pool by the new customer, there have been numerous examples of customers complaining that their numbers, long in use by them, have been text enabled without their permission. The current system, in which the RespOrg need not be consulted before a toll-free number is text enabled, offers no safeguards to the subscriber to prevent such a situation. Indeed, the subscriber may believe, mistakenly, that the RespOrg was involved in text-enabling the number, leading to confusion for both the RespOrg and the toll-free subscriber.

Providing the customer a single, known contact – its chosen RespOrg – to be the interface between the subscriber and the toll-free administrator provides a measure of regularity to the toll-free system and ensures that the consumer can look to a single point of contact of its own choosing to assist in managing all aspects of the toll-free number's usage. Such a system provides both clarity and safeguards to the consumer, as well as to the toll-free system itself. The current approach, where numbers can be text enabled without the knowledge of the RespOrg, or even without the actual consent of the subscriber, causes chaos in the administration of the toll-free system.

The risks of harm to the subscriber are not merely “fictional”, as AT&T alleges.<sup>1</sup> First, the text-enabling of numbers without consent of the subscriber, is, in fact, happening as several commenters have noted. As noted above, Signal One has had numerous incidents in which it discovers that toll-free numbers the company administers are text enabled and neither the company nor the customers were aware. There are numerous potential harms that can result. First, any text messages sent to the toll-free number may appear to be delivered, but, in fact are not because no such delivery mechanism exists between the text message hub providers and the subscriber. The result is the potential caller/text sender could believe its message was received – and ignored – by the subscriber, leading to potential business harm to the subscriber.

Second, when a toll-free number is text enabled and the messages are undelivered, it creates an opportunity for “spoofing” or other fraudulent activity. Signal One has already seen numerous examples where fraudsters can insert a spoofed toll-free number into the call stream of a voice call, leading to many potential issues for a toll-free subscriber such as accusations of TCPA violations or outright fraud at unsuspecting consumers, for which the subscriber is unjustly blamed. Without a check on toll-free enabling of these numbers through the toll-free administrator, the problem can spread – unbeknownst to the subscriber, as they may be completely unaware that text messages are being sent from their number. Further, a recipient of such a message might reply to the text and again, the subscriber would not receive this reply unless they had established a method to receive the texts. Worse still, as the Petition notes, because the text messages can be received by anyone, the reply message could be sent to the original impersonating sender, again with the potential for significant harm to the toll-free subscriber.

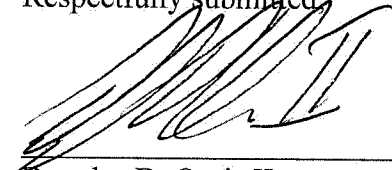
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<sup>1</sup> AT&T Comments at 5.

### **III. CONCLUSION**

For the foregoing reasons, Signal One urges the Commission to grant the Petition. Such a ruling will ensure regularity and consistency in the toll-free numbering administration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'DD Orvis II', written over a horizontal line.

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Dated: December 20, 2016

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